

(May 17, 1951, issue of "Whitmer Pep") "Here is a tip on Black Diamond Liniment. Mr. Vern Scott * * * had a bad big toe * * * they were going to take him to the hospital and take his leg off * * * He used Black Diamond and it healed his toe right up, so we didn't only save his toe and leg * * * 18 years before this * * * he had his toe run over by a thrashing machine. It had been sore ever since and it had mattered and run puss and had the toe all eaten away behind the toe nail, and this is what we healed up." Further misbranding, Section 502 (f) (2), the labeling of the article failed to bear adequate warnings against unsafe dosage and methods and duration of administration or application, in such manner and form, as are necessary for the protection of users since its labeling failed to warn that use of the article should be discontinued if excessive irritation of the skin developed, and that the user should avoid getting the drug into the eyes.

The libel covered also a number of lots of Hog Mineral and Cattle Mineral which were adulterated and misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: April 18, 1952. Robert Elliot Parker, Suffolk, Va., claimant, having consented to the entry of a decree, judgment of condemnation was entered. The decree provided that the products might be released under bond, conditioned that they be brought into compliance with the law, under the supervision of the Federal Security Agency; otherwise, the decree provided that they be destroyed. The products ultimately were destroyed.

DRUGS FOR VETERINARY USE*

3879. Misbranding of buttermilk feed. U. S. v. 32 Barrels, etc. (F. D. C. No. 31173. Sample No. 18783-L.)

LIBEL FILED: June 12, 1951, Southern District of Illinois.

ALLEGED SHIPMENT: On or about April 24, 1951, by the Cudahy Packing Co., from Winfield, Iowa.

PRODUCT: *Buttermilk feed*. 32 112-pound barrels and 3 90-pound steel drums at Atkinson, Ill., and 102 copies of a leaflet entitled "Hunt's Old-Fashion Condensed Buttermilk Make Your Livestock Make You Money."

LABEL, IN PART: "Hunt's Old-Fashion Buttermilk Feed Analysis Protein 8% Fat 1½% Lactic Acid 4% and Ash, Phosphates, Carbohydrates, Vitamines * * * For Animal and Poultry Feeding Made from Solids of Milk with 2% Flour added."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the barrel and drum labels and in the accompanying leaflets were false and misleading. These statements represented and suggested that the drug would be effective to aid in the assimilation and digestion of other feeds; to help save pigs, chicks, and turkeys; as a conditioner and tonic; to make hens "shell out" more eggs; to make broilers earlier from little chicks and make hogs sooner from little pigs; to keep hogs healthy; to prevent and treat the disease necrotic enteritis of pigs; and to prevent coccidiosis of poultry. The product was not effective for such purposes.

DISPOSITION: January 25, 1952. The shipper, claimant, having consented, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled under the supervision of the Food and Drug Administration.

*See also Nos. 3861, 3878.